

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.32220 of 1997

Dated: 28.03.2007

Between:

M. Venkatreddy and others.

**....
PETITIONERS**

AND

The Regional Manager, APSRTC, Nalgonda, Nalgonda District and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.32220 of 1997

ORDER:

Questioning the action of the respondent-APSRTC in not considering the case of the petitioners for absorption on the ground that they were not displaced consequent upon nationalization of the route, as illegal and arbitrary, they filed the present writ petition.

2. The petitioners had worked as conductors/drivers on the bus No.KLO 739 (AP 24-T-2255), which was plying on the route from Miryalaguda to Mulakala Kalva, prior to its nationalization. The said route was curtailed, leaving only four kilometers distance for the bus operator to ply the bus. The petitioners consequent on nationalization, filed W.P.19900 of 1993 for their absorption, and though a direction was given to the respondent-APSRTC to consider the case of petitioners for absorption in terms of its earlier judgment in W.P.No.3654 of 1989, the 2nd respondent having considered the same rejected their case on the ground that the said bus service on which the petitioners worked, was not displaced due to nationalization, as its route was curtailed and its existence was valid up to 25.05.1996. It is stated that as the owner of the bus could not ply the vehicle after expiry of the permit i.e,

from 25.05.1996 on account of drastic reduction of the route to 4 Kms, due to nationalization, obviously the services of the petitioners would be terminated, and therefore, the in action of the respondent-APSRTC in absorbing them into the Corporation, is challenged in the present writ petition.

3. Heard the learned counsel for the petitioner and the learned Standing Counsel for respondent-APSRTC.

4. The learned counsel for the petitioners contended that on account of nationalization of the bus route from Miryalaguda to Mulakala Kalva, and curtailment from Avantipuram to Subbareddygudem, the services of the petitioners were terminated, and he, thus, prays to absorb the petitioners into the Corporation.

5. The learned Standing Counsel for the respondent-APSRTC submitted that as per direction of this Court in W.P.No.19900 of 1993, the case of the petitioners was already considered and rejected on the ground that the bus service No.KLO 739 on which the petitioners worked was not displaced due to nationalization, but its permit was curtailed and it was in existence and valid up to 25.05.1996

5. Admittedly, there is no scheme, rule or statutory right to contend that because of the curtailment of the route due to nationalization, the petitioners are entitled to absorption in the respondent-Corporation. It is the specific case of the respondents that as per the proceedings dated 17.05.1994 the route from Miryalaguda to Mulkalakalva has been curtailed from Avanthipuram to Subbareddygudem, and that as the bus No.KLO

730 on which the petitioners worked, has not been displaced due to nationalization and its permit being valid up to 25.05.1996, the case of the petitioners for absorption was not considered. In view of the same, there is no reason to interfere with the rejection order of the respondent-APSRTC, dated 17.05.1994, and the petitioners are not entitled to absorption in the respondent-APSRTC.

6. The Writ Petition is devoid of merit and the same is dismissed. No costs.

N.V. RAMANA, J.

Date: 28.03.2007

sj